

JUDAH LAKIN (#307740)
judah@lakinwille.com
AMALIA WILLE (#293342)
amalia@lakinwille.com
LAKIN & WILLE LLP
1939 Harrison Street, Suite 420
Oakland, CA 94612
Telephone: (510) 379-9216
Fax: (510) 379-9219

JINGNI (JENNY) ZHAO (#284684)
jenny@advancingjustice-alc.org
ASIAN AMERICANS ADVANCING
JUSTICE – ASIAN LAW CAUCUS
55 Columbus Avenue
San Francisco, California 94111
Telephone: (415) 848-7710
Fax: (415) 896-1702

Counsel for Petitioner-Plaintiff
IMESH PERERA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

IMESH PERERA,

Petitioner-Plaintiff,

v.

MOISES BECERRA, Field Office Director, San
Francisco Field Office, United States
Immigration and Customs Enforcement; TAE D.
JOHNSON, Acting Director, United States
Immigration and Customs Enforcement;
ALEJANDRO MAYORKAS, Secretary, United
States Department of Homeland Security; and
MERRICK GARLAND, United States Attorney
General,

Respondents-Defendants.

Case No. 21-cv-04136-BLF

**STIPULATION OF DISMISSAL
OF MOTION FOR ATTORNEYS'
FEES PURSUANT TO THE
EQUAL ACCESS TO JUSTICE
ACT AND ~~PROPOSED~~ ORDER**

Pursuant to Civil Local Rule 7-12, the undersigned Parties stipulate as follows:

WHEREAS, on October 21, 2022, Petitioner filed a Motion for Attorneys' Fees Pursuant to the Equal Access to Justice Act ("EAJA") (Dkt. No. 65).

WHEREAS, on January 23, 2023, Respondents filed their opposition to the EAJA motion (Dkt. No. 78).

WHEREAS, on February 6, 2023, the Parties filed a Stipulation and Proposed Order Regarding Settlement and Dismissal of EAJA Motion, which the Court approved, in which Respondents agreed to pay Petitioner \$43,870.40 in satisfaction of his claim for EAJA fees and costs, and Petitioner agreed to file a Stipulation of Dismissal of the EAJA Motion in consideration of the payment of the settlement amount (Dkt. Nos. 81, 82).

WHEREAS, on February 27, 2023, Petitioner received the full settlement amount.

NOW, WHEREFORE, pursuant to the Parties' agreement, the Parties jointly stipulate to the dismissal of Petitioner's EAJA motion in this matter with prejudice, including all the claims that were asserted against Respondents in the EAJA Motion.

Dated: March 3, 2023

Respectfully submitted,

/s/ Jingni (Jenny) Zhao*

Jingni (Jenny) Zhao

ASIAN AMERICANS ADVANCING
JUSTICE – ASIAN LAW CAUCUS

/s/ Judah Lakin

Judah Lakin

/s/ Amalia Wille

Amalia Wille

LAKIN & WILLE LLP

Attorneys for Petitioner-Plaintiff

Respectfully submitted,

BRIAN M. BOYNTON

Principal Deputy Assistant Attorney General

1
2 WILLIAM C. PEACHEY
Director

3 JESSICA W. D'ARRIGO
4 Senior Litigation Counsel

5 Dated: March 3, 2023

/s/ Courtney E. Moran
6 COURTNEY E. MORAN (CABN 288394)
7 Trial Attorney
U.S. Department of Justice
8 Civil Division

9 Office of Immigration Litigation
District Court Section
10 P.O. Box 868, Ben Franklin Station
Washington, DC 20044

11 *Attorneys for Respondents-Defendants*

12
13 * In compliance with Civil Local Rule 5-1(i)(3), as the filer of this document, I attest that
14 concurrence in the filing was obtained from the other signatories.

15 Dated: March 3, 2023

/s/ Jingni (Jenny) Zhao
16 Jingni (Jenny) Zhao

17 **~~PROPOSED~~ ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED. Petitioner's EAJA motion in
19 this matter is dismissed with prejudice.

20 Dated: March 6, 2023

21
22 
23 THE HONORABLE BETH LABSON FREEMAN
24 United States District Judge